

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shigeaki MURATA et al.

Group Art Unit: 1745

Application No.: 10/676,129

Examiner: J. MAPLES

Filed: October 2, 2003

Docket No.: 116783

For: FUEL CELL SYSTEM, HYDROGEN GAS SUPPLY UNIT, AND METHOD OF
CONTROLLING FUEL CELL SYSTEM

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the January 17 Election of Species Requirement, Applicants provisionally elect Embodiment I (directed to a decomposition support portion that includes an oxygen gas supply portion), with traverse.

Applicants assert that at least claims 1-10 and 14-17 are readable on the elected embodiment and that at least claims 1, 14 and 15 are generic to the indicated species.

It is also respectfully submitted that the subject matter of all of the species and claims is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. This is particular so given the presence of generic claims and only two allegedly distinct species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must

examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Brian C. Anscomb
Registration No. 48,641

JAO:BCA/hs

Date: February 9, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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